

HR Tool Box

State
of
Vermont

Department
of
Human
Resources

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Editor:

Karin Tierney

From Commissioner Caroline S. Earle

It has been an exciting start to my tenure as Commissioner of Human Resources. During the past two months I have had the opportunity to meet many of you and I am extremely impressed with the work being done by human resources personnel throughout state government. The difficult economic situation facing state government continues to draw on all of our resources. Your commitment to the consistent delivery of quality support to employees in the face of circumstances that are taxing at best, is commendable.

I have had the recent pleasure of welcoming Kate Duffy to her new role as Deputy Commissioner at DHR. Together, we will be examining how human resources services are delivered statewide and looking for ways to further improve how we do business.

I look forward to working with all of you as we head into 2010. I wish you all a safe and happy holiday season.

AHS Hiring Standards Policy ULP

On Friday the 13th of November, the Vermont Labor Relations Board issued a decision finding that the Agency of Human Services (AHS) committed an Unfair Labor Practice (ULP) when it unilaterally issued a hiring standards policy that required all newly hired employees to sign background check authorizations and/or submit to fingerprint testing.

AHS provides services to thousands of vulnerable Vermonters including children, disabled and aging Vermonters. Given such responsibilities, AHS management implemented the hiring standards policy as a measure to ensure its hiring decisions did not create a risk of harm to vulnerable clients or its employees. The State has always had the right to set the minimum qualifications for positions in state government. However, the Vermont State Employees (VSEA) filed an unfair labor practice charge alleging that AHS failed to bargain the implementation of the background check policy as it applied to current state employees seeking to transfer, promote, demote, or exercise re-employment rights to AHS positions.

At the Labor Board hearing on this case, AHS raised a number of arguments in support of its position that management had correctly exercised its "management rights" in unilaterally implementing the background check policy. The Labor Board agreed with the VSEA and found that requiring these current state employees to comply with the background check policy was a mandatory subject of bargaining that needed to be negotiated with VSEA. The Board ordered AHS to rescind the background check policy as it relates to current state employees.

AHS is considering whether to appeal the Labor Board's Decision to the Vermont Supreme Court.

Incomplete Requests for Reclassification (RFR) Returned

In recent years the DHR Classification unit has worked closely with employees, management and human resources administrators regarding Requests for Reclassification (RFRs) submitted for review. Representatives from the DHR Classification unit were previously able to meet with parties, as part of the review process, in an informal setting to review the RFR and gather any information that might be missing, in order to support the filing of the RFR.

Due to a recent Vermont Labor Relations Board (VLRB) decision in a case concerning a grievance pertaining to the Attorney General Investigator classification, and upon recommendation from legal counsel, that is no longer possible. The DHR Classification Unit has had to implement the practice of returning incomplete RFRs that have been submitted for review. RFRs may also be returned if completed on the wrong form.

Incomplete RFRs that are submitted to the DHR Classification unit will not be date stamped, thus the filing date will not be established until the RFR is resubmitted and has been deemed complete as per the guidelines outlined in the collective bargaining agreements between State of Vermont and Vermont State Employees' Association, Article 16, *Classification Review and Classification Grievance*, Section 3. Procedure for Review of Classification; (b), which states: "The request for review shall state with particularity the changes(s) in duties or other circumstances which prompt the Request for Review."

An RFR Return Notice will be attached to the RFR that is being returned to the submitter, which will outline the reasons for the return of the RFR.

Any questions regarding the submittal of RFRs, should be directed to the classification analyst assigned to your department.

Ease Staffing Gaps with Knowledge Transfer Tools

The Summit Center's Workforce Planning Toolkit has tools to help your department share essential information with the right people.

(http://humanresources.vermont.gov/training/workforce_planning/knowledge_transfer)

Knowledge transfer methods can help your organization in three ways:

1. They can help as an on-going process to ensure that core knowledge about processes, relationships, and resources is shared among key staff for purposes of coverage in case of short-term absences and leave;
2. They can facilitate the documentation and sharing of processes and knowledge to ensure smooth operation and healthy relationships among those who are involved; and
3. In the case of the imminent temporary or permanent departure of an employee or other key player, they can ensure that those individuals' roles and knowledge are documented and passed on to those who will take up the work in their absence.

Other components of workforce planning that connect to knowledge transfer include:

- Succession Planning
- Process/procedure documentation
- Process analysis and process improvement

For more information, visit the Workforce Planning Toolkit website at:

http://humanresources.vermont.gov/training/workforce_planning, or contact us at 241-1114.

SICK LEAVE BANKS DONATION DRIVE

The Non-Management Unit, Corrections Unit, and Confidential/Managerial Sick Leave Banks are *especially* low this year. Donations to the Sick Leave Banks will be accepted through December 31st. Any donations will be greatly appreciated. If you have any questions regarding the donation drive, please contact Karin Tierney in the DHR Labor Relations Division at karin.tierney@state.vt.us.

Succession Planning in State Government: A Working Session for Your Department

Problem: OK, The Summit's Workforce Planning Toolkit is cool, but you need some hands-on experience with Succession Planning and you need results at the same time! Who has time to wander around on the website and decide what to use and how?

Solution: Bring your HR/Workforce Planning key staff (three to five planners/managers) to the one-day Succession Planning session at The Summit, Thursday, February 25, 2010!

Summit staff will help your team to get a head start on the Succession Planning process in your organization. This process will result in a plan to continually develop leadership talent from within your organization, and identify external talent where needed. Participants will gain experience in working with Succession Planning tools from the Workforce Planning Toolkit.

Visit:

http://humanresources.vermont.gov/training/the_summit/classroom_online_training/course_descriptions#040221



Genetic Information Nondiscrimination Act of 2008 (GINA)

The Genetic Information Nondiscrimination Act of 2008, also referred to as GINA, is a new Federal law that prohibits discrimination in health coverage and employment based on genetic information. President Bush signed the act into law on May 21, 2008. The sections relating to employment (Title II) took effect on November 21, 2009.

GINA generally prohibits discrimination in health coverage and employment on the basis of genetic information. GINA, together with already existing nondiscrimination provisions of the Health Insurance Portability and Accountability Act, generally prohibits health insurers or health plan administrators from requesting or requiring genetic information of an individual or the individual's family members, or using it for decisions regarding coverage, rates, or preexisting conditions. The law also prohibits employers from using genetic information for hiring, firing, or promotion decisions, and for any decisions regarding terms of employment.

The US Equal Employment Opportunity Commission (EEOC) has updated the required EEO poster to include the prohibition of discrimination on the basis of genetic information. You should print the new version of this poster and replace any older versions you may have at your worksite(s).

The poster can be found at:

http://www.eeoc.gov/self_print_poster.pdf.

SAVE THE DATE!!!

HR Partners Meeting

March 22, 2010

1:00 – 4:00 Hazen's Notch

The Summit, Waterbury

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We're on the Web!
See us at:

humanresources.vermont.gov

Touring Vermont's History: A Walk Through Time

Want to stay active during the holiday season? Join us on our next activity challenge starting December 7th. In celebration of the Vermont State Employee's Wellness Program's 20th anniversary, this challenge will visit historical moments of Vermont for the past 20 years. Can't remember what happened on January 7th, 1998? You will learn with this next activity challenge!

Visit www.getmoving.vermont.gov to check out the website for new features and update your existing profile or register to join. If you need more information, please email DHR-EMPWellness@state.vt.us or call us at 802-241-1535.



Just in case you wondered...

Military Pay Differential does apply to Coast Guard, Navy, Marine Corps and Air Force reserves, provided the employee "is called to active duty on or after January 1, 2004, in support of: "Operation Iraqi Freedom; other national defense operation, or other State National Guard mission, as may be approved by the Commissioner of Human Resources..."

ICE

Do you carry a cell phone with names and numbers of friends, loved ones, and professional contacts? Many of us do, but in most cases we are the only ones who know what category those contacts fall into. In the event you are injured or in need of emergency treatment, a single word can indicate to emergency responders who they should call. Your ICE (In Case of Emergency) number should belong to someone who knows your medical history and may even authorize medical treatment should you be incapacitated in some way.

By entering ICE in your cell phone's contact list, you help responders and doctors locate that person or persons quickly and possibly help them care for you better in the event of an emergency or accident. Make sure you tell your ICE contacts that they have been designated as such and let them know of any special medical needs. It is also recommended that you provide them with a complete list of contacts including friends, family, and work contacts. For anyone under the age of 18, their ICE contacts should include parents who can authorize medical treatment.



It is important not to rely solely on an ICE number for identification. Keeping proper identification, medic alert bracelets, and other critical information in your wallet and/or automobile is still important. Although the ICE number may be on your phone, it is not always easy to identify the owner of a phone, and the responders may not be familiar enough with your brand of phone to find the ICE number quickly.

